

HOUSE BILL No. 1394

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Vanderburgh County consolidation. Establishes the Vanderburgh County government consolidation commission (commission) to study government consolidation in Evansville and Vanderburgh County. Provides that the University of Southern Indiana shall provide staff support for the commission. Specifies that the commission shall study whether the functions of any office or governmental department in Vanderburgh County or the administration of any service or program provided by a unit of local government in Vanderburgh County should be consolidated. Provides that the commission may not meet unless the voters of Vanderburgh County vote in favor of the continued study of consolidation in a nonbinding local public question voted on in the 2006 general election.

Effective: Upon passage.

Avery, Van Haaften

January 12, 2006, read first time and referred to Committee on Government and Regulatory Reform.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1394

A BILL FOR AN ACT concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "commission" refers to the Vanderburgh County
3 government consolidation commission established by subsection
4 (b).

5 (b) The Vanderburgh County government consolidation
6 commission is established.

7 (c) The commission consists of the following twenty-three (23)
8 members:

9 (1) Two (2) members of the senate whose districts include a
10 part of Vanderburgh County.

11 (2) Four (4) members of the house of representatives whose
12 districts include a part of Vanderburgh County.

13 (3) The mayor of the city of Evansville.

14 (4) Two (2) members of the common council of the city of
15 Evansville, who must be members of different political
16 parties, appointed by majority vote of the common council.

17 (5) One (1) member of the Vanderburgh County board of
18 commissioners, appointed by majority vote of the board of

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commissioners.

(6) Two (2) members of the Vanderburgh County council, who must be members of different political parties, appointed by majority vote of the county council.

(7) The Vanderburgh County sheriff or the sheriff's designee.

(8) The chief of the police department of the city of Evansville or the chief's designee.

(9) The chief of the fire department of the city of Evansville or the chief's designee.

(10) The chief or other officer in charge of a volunteer fire department in Vanderburgh County, appointed by majority vote of all chiefs or other officers in charge of all volunteer fire departments in Vanderburgh County.

(11) An elected township assessor for a township in Vanderburgh County, appointed by majority vote of all elected township assessors in Vanderburgh County.

(12) An elected township trustee for a township in Vanderburgh County, appointed by majority vote of all elected township trustees in Vanderburgh County.

(13) A member of the town board of the town of Darmstadt, appointed by majority vote of the town board.

(14) Four (4) individuals who are residents of Vanderburgh County and who are serving or who have served as members of the Evansville - Vanderburgh County Unification Study Committee, appointed as follows:

(A) One (1) individual appointed by the mayor of the city of Evansville.

(B) One (1) individual appointed by majority vote of the common council of the city of Evansville.

(C) One (1) individual appointed by majority vote of the Vanderburgh County board of commissioners.

(D) One (1) individual appointed by majority vote of the Vanderburgh County council.

(d) The members described in subsection (c) may not be appointed until after December 31, 2006.

(e) After January 1 but before May 1 of each year, the chairman of the legislative council shall designate one (1) member of the commission appointed under subsection (c)(1) or (c)(2) to serve as the chairperson of the commission during the calendar year in which the designation is made. Subject to subsection (f), the commission shall meet upon the call of the chairperson.

(f) The chairperson may not call for a meeting of the

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commission unless a majority of the voters voting on a local public question placed on the ballot in Vanderburgh County vote in favor of the general assembly continuing to study consolidation in Vanderburgh County.

(g) Except as provided in this SECTION, the commission shall operate under the policies governing study committees adopted by the legislative council. Notwithstanding the policies governing study committees adopted by the legislative council, the following apply to the commission:

(1) The University of Southern Indiana shall provide staff support for the commission.

(2) The commission may create subcommittees.

(3) The budget for the commission expires December 1, 2008.

(4) The commission may meet at any time during the calendar year

(h) A quorum of the commission must be present to conduct business. A quorum consists of a majority of the members appointed to the commission.

(i) The commission may not take official action unless the official action has been approved by at least a majority of the members appointed to serve on the commission.

(j) The commission shall study the following:

(1) Unification of local government in Vanderburgh County.

(2) Whether local government in Vanderburgh County may be improved and made more efficient by consolidating any of the following:

(A) The functions of any office or governmental department located in Vanderburgh County.

(B) Any service or program provided by a unit of local government in Vanderburgh County.

(k) The commission may make recommendations to the general assembly concerning any of the following:

(1) Whether the general assembly should enact legislation to unify local government in Vanderburgh County.

(2) Whether:

(A) the functions of any office or governmental department located in Vanderburgh County; or

(B) the administration of any service or program provided by a unit of local government in Vanderburgh County; should be consolidated.

(l) If the commission makes a recommendation under subsection (k), the commission shall recommend legislation to the general

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assembly that would implement the recommendation.

(m) Subject to subsection (f), the commission shall provide a final report, including any recommendations, to the legislative council in an electronic format under IC 5-14-6 before December 1, 2008.

(n) This SECTION expires January 1, 2009.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies only to Vanderburgh County.

(b) The definitions in IC 36-1-2 apply throughout this SECTION.

(c) As used in this SECTION, "commission" refers to the Vanderburgh County government consolidation commission established by SECTION 1 of this act.

(d) The county election board shall place the following question on the ballot in the county during the 2006 general election:

"Should a commission consisting of members of the General Assembly and representatives of Vanderburgh County and the City of Evansville continue to study whether local government in Vanderburgh County should be consolidated?".

(e) The county election board shall print the following immediately below the public question stated in subsection (d):

"The vote on this public question is advisory only. The result of the vote on this public question is not binding on the General Assembly or on any public official."

(f) A public question under this SECTION shall be placed on the ballot in accordance with IC 3-10-9 and must be certified in accordance with IC 3-10-9-3.

(g) The clerk of the circuit court of the county holding an election under this SECTION shall certify the results determined under IC 3-12-4-9 to the legislative council before January 1, 2007.

(h) This SECTION does not confer any additional powers or duties upon the following officials in Vanderburgh County:

- (1) The mayor of the city of Evansville.
- (2) The common council of the city of Evansville.
- (3) The Vanderburgh County board of commissioners.
- (4) The Vanderburgh County council.

(i) This SECTION does not make any changes to the form of local government in Vanderburgh County.

(j) If a majority of the voters voting on the public question held under this SECTION vote in favor of the general assembly continuing to study government consolidation in Vanderburgh

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1 County, the chairperson of the commission shall call for a meeting
2 of the commission to begin the study required under SECTION 1
3 of this act.

4 (k) This SECTION expires August 1, 2007.

5 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The general
6 assembly finds that Vanderburgh County is uniquely positioned to
7 take advantage of any economies of scale, efficiencies, and
8 opportunities presented by government consolidation because of
9 the large proportion of the county's area and population that is
10 already within the jurisdiction of the city of Evansville. These
11 special circumstances require legislation that applies only to
12 Vanderburgh County.

13 (b) This SECTION expires January 1, 2009.

14 SECTION 4. An emergency is declared for this act.

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